

TRIBUTE TO LEXINGTON HIGH
SCHOOL

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 15, 1997

Mr. SPENCE. Mr. Speaker, I rise to bring to the attention of my colleagues an article that appeared in the March 20, 1997 edition of *The State*, concerning Lexington High School, in my hometown of Lexington, SC. As a graduate of Lexington High School, I am especially proud of it receiving the Carolina First Palmetto's Finest award.

[From *The State*, Mar. 20, 1997]

LEXINGTON HIGH NAMED BEST IN STATE

SCHOOL BECOMES FIRST SECONDARY
INSTITUTION TO WIN PALMETTO'S FINEST

(By Neil White)

A good year for Lexington High School got even better last week when it won the first-ever Carolina First Palmetto's Finest award given to a high school.

Strong programs in academics, athletics, arts and technology—highlighted by a pair of students who garnered perfect scores of 1,600 on the SAT and a basketball team that competed for its second-consecutive Class AAAA state championship—have kept the school in the forefront. Now this award adds to that.

"It's an exciting time for students, teachers and parents," Principal Allan Whitacre said. "Being the first high school, we feel very proud about that, too."

The Palmetto's Finest awards, coordinated by the S.C. Association of School Administrators, are in their 19th year, but this year, the program was expanded to include a secondary school. Irmo Elementary School was named in the elementary school category.

In addition to academic achievement and student leadership, a point system is used to rate school personnel, programs and curriculum, community involvement, physical maintenance of facilities, safety and communications. Nominations are received in the fall. The winners are chosen by a committee based upon the results of a comprehensive application process and two school visits.

"Receiving the Carolina First Palmetto's Finest award presents hard work, perseverance, cooperation and a commitment to excellence by our entire school community. Our school board and district office have supported that commitment," said Whitacre. "Everything we do, from the curriculum to the extra-curricular activities, is focused on giving students the best possible preparation we can provide to help them become productive, well-rounded citizens."

Since 1985 the school has received Department of Education incentive award money, which rewards the state's highest-ranked schools.

Following graduation, 79 percent of the students plan to attend college. Graduates in the class of 1996 received scholarship offers valued at more than \$4 million.

"There's a lot of pride for the student body in the whole thing," Whitacre said.

Lexington's High serves approximately 1,850 students in grades 10-12, and steady growth in the district keeps new students coming through the doors.

THE RON BROWN TORT EQUALITY
ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 15, 1997

Ms. NORTON. Mr. Speaker, the bill I introduce today broadens the rights of Federal employees and other Americans by amending the Federal Tort Claims Act. The need for this bill has been demonstrated in the aftermath of the tragic and needless accident which killed Secretary Ron Brown and 34 other Americans when their plane, piloted by the U.S. Air Force, crashed into a Croatian mountainside on April 3, 1996. I introduce this bill this month in memory of the Americans who died in Croatia to allow fair compensation to their relatives for their irretrievable losses and to deter similar accidents in the future.

News reports and constituent calls to my office have made clear the need for this bill. Some victims' families have faced financial hardship, in some instances, due to the minimal Government benefit payments. If a private plane had been responsible for this accident, the victims' families would have been entitled to recover no less than \$75,000, and if willful misconduct were shown, the amount recoverable would have been unlimited. The bill I introduce today increases the damages available to the victims of tragedies caused by the Federal Government and covers accidents occurring on or after April 3, 1996.

My bill will not unfairly open the United States to lawsuits by increasing its exposure in large numbers of accidents. The bill is limited to accidents in which the burden would be on the plaintiff to prove gross negligence, which the record shows to be a small number.

The official Air Force investigation found three independent causes, any one of which, had it not existed, would have prevented the accident. Surely, in the unusual circumstances of gross and preventable negligence, the country has an obligation to do more than mourn the victims and offer minimal damages.

My bill addresses two problems. The first affects only Federal employees. Under current law, the sole source of recovery for an injured Federal employee is the Federal Employees Compensation Act [FECA]. The act provides compensation benefits to U.S. employees for disabilities due to personal injury incurred while working. Although the FECA applies to injuries that occur here in this country and those that occur overseas, a Federal employee cannot sue for gross negligence. And if that Federal employee dies and has no dependents, the recoverable damages under FECA are practically nonexistent. My bill remedies this by allowing Federal employees to sue the United States for gross negligence, notwithstanding any compensation they would receive under the Federal Employees Compensation Act.

My bill addresses a second problem as well. This problem is that nonfederal employees who are injured overseas have no right of recovery against the Federal Government. Currently, under the Federal Tort Claims Act [FTCA], an individual may bring a tort suit against the Federal Government for injuries caused by the negligent or wrongful act or omission of any Federal employee acting within the scope of his employment. Under the

FTCA, an individual has 2 years to present a claim to the Federal agency involved, and if the agency denies the claim, then that person has the right to sue in Federal district court. Although this right exists for people who are injured in the United States, the individual who is injured overseas has absolutely no right of recovery under the Federal Tort Claims Act for the negligent conduct of the Federal Government. My bill remedies this problem by providing a cause of action.

The accident in Croatia pointed up in the most tragic way the need for this bill. The Air Force Accident Investigation Board revealed raw negligence from takeoff to landing. The Board found that the command gave authorization to fly certain procedures that had not been reviewed and properly approved, that the aircrew made errors in planning and executing the flight, that the approach to the airport was improperly designed, and that inadequate training was a substantially contributing factor. As a result of the investigation, 2 officers were disciplined under article 15 of the Uniform Code of Military Justice—the most serious form of military punishment short of a court-martial—2 received letters of reprimand, and actions were taken against 12 others.

We owe the families of those left behind after last year's accident in Croatia more than our continuing sympathy. We owe them just compensation and assurance that Federal tort law will deter such tragedies in the future. I urge my colleagues to support this legislation.

PRIVACY IN SOCIAL SECURITY

HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 15, 1997

Mrs. KENNELLY. Mr. Speaker. On March 5, 1997, the Social Security Administration [SSA] initiated online access to individual Social Security earnings data and projected benefits via the Internet. Because this access raised a number of serious privacy and security concerns, I recommended that The Social Security Subcommittee hold hearings on this issue and asked the General Accounting Office to review SSA's actions. Subsequently, SSA suspended its Internet access to these records, pending nationwide hearings to obtain public comment on the desirability of electronic access to individual data.

I am today introducing legislation to require the Social Security Administration to consult experts at the cutting edge of computer technology regarding the security and privacy of online Social Security files. I believe such consultation is necessary to assure the public that the Social Security Administration has used the most advanced technology available to protect individual Social Security earnings information.

The legislation would require the Commissioner to assemble a panel of experts to advise him on issues such as the confidentiality, security, and authenticity of online transmission of records. In addition, the Commissioner would receive advice on appropriate techniques for authenticating the identity of the person requesting the information and procedures for detecting unauthorized access to individual records. Such action should help to assure the public that, if these records are offered via the Internet, they have been protected by the most advanced means available.